



Journal of the Senate

State of Indiana

114th General Assembly

First Regular Session

Forty-ninth Meeting Day

Tuesday Afternoon

April 19, 2005

The Senate convened at 1:32 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Senator Allie V. Craycraft, Jr.

The Pledge of Allegiance to the Flag was led by Senator Craycraft.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Antich-Carr	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Clark	Mishler
Craycraft	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Server
Harrison	Simpson
Heinold	Sipes
Hershman	Skinner
Howard	Smith
Hume	Steele
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 452: present 50. The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate do not concur with the House Amendments to Engrossed Senate Bill 89 and that a conference committee be appointed to confer with a like committee of the House.

JACKMAN

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 64

Senate Concurrent Resolution 64, introduced by Senators Zakas, Broden, Bowser, and Mishler:

A CONCURRENT RESOLUTION recognizing the University of Notre Dame Women's Soccer team for winning the 2004 NCAA Division I National Championship.

Whereas, On December 5, 2004, in one of the most exciting final games in the history of the NCAA Division I College Cup Final Four, the University of Notre Dame Women's Soccer team battled through 110 minutes of regulation and overtime play to triumph over UCLA in a 4-3 victory that was decided on penalty kicks;

Whereas, Lead by Captains Mary Boland, Gudrun Gunnarsdottir, and Melissa Tancredi; Head Coach Randy Waldrum and Assistant Coaches Alvin Alexander and Dawn Greathouse, the University of Notre Dame Women's Soccer program became only the second school ever to win multiple NCAA Division I Women's Soccer titles; and

Whereas, The University of Notre Dame Women's Soccer team finished the season 25-1-1, tying an NCAA record for the fourth most wins in the 23-year history of Division I Women's Soccer: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General assembly recognizes the members of the University of Notre Dame Women's Soccer team for winning the 2004 NCAA Division I National Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the University of Notre Dame; Athletic Director, Kevin White; Head Coach, Randy Waldrum; and to each of the captains of the championship team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Walorski and Bauer.

House Concurrent Resolution 56

House Concurrent Resolution 56, sponsored by Senator Hume:

A CONCURRENT RESOLUTION congratulating Washington High School on its victory in the Class 3A Boys Basketball championship.

Whereas, The Washington High School Hatchets won the 2004-2005 Indiana High School Athletic Association Class 3A Boys State Basketball Championship at Conseco Field House in Indianapolis;

Whereas, This victory marks the first state boys basketball title for Washington High School since 1942;

Whereas, The Hatchets won the title with a last second, half-court shot in overtime by Luke Zeller, the Trester Award winner and leading scorer with 27 points, to defeat Plymouth 74-72;

Whereas, The Hatchets tied the Class 3A record with a fiery .692 shooting from the field, hitting 27 of 39 to equal Indianapolis Cathedral's effort in 1998;

Whereas, Senior forward Isaac Stoll finished with 16 points, hitting a 3A-best .500 from three-point range on 4 of 8 shooting;

Whereas, The victory gave retiring coach Dave Omer a perfect send-off, completing a 27-2 season with a state title;

Whereas, The Hatchets played an inspired game with the entire team contributing to the victory;

Whereas, Kyle Price, Kevin Decker, Brett Matteson, Bart Young, Joel McDonald, David Brashear, Jordan Winkler, Justin Smith, Luke Zeller, Ross Wade, Isaac Stoll, Tyler Zeller, and Bryan Bouchie, with their stupendous drive and energy, have proven to be a uniting force in the community, as many residents of Washington attended the championship game;

Whereas, Washington Community Schools constructed the Hatchet House in 1967;

Whereas, The Hatchet House, with a capacity of 7,090, is the 14th largest gym in Indiana;

Whereas, Hoosier hysteria continues to thrive in this Daviess County community due to the great fans who have supported their Hatchets through their positive spirit;

Whereas, Washington High School has a history of great basketball players, including the following All-Stars: Hook Mangin (1941), Charles Harmon (1942), Jim Riffey (1942), Steve Bouchie (1979), Craig Neal (1993), Julie Helm (1995), and Luke Zeller (2005); and

Whereas, Victories by teams such as the Washington High School Hatchets are truly what Indiana legends are made of, and this legend will live on a long time in the hearts of the residents of Washington, Indiana, and of others around the state: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Washington High School boys basketball team on the 2004-2005 Class 3A state basketball championship and acknowledges the many hours of hard work required to reach a level of excellence necessary to win a state championship. The members of the General Assembly also express their continued good wishes for the members and coaches of this remarkable team.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the members of the Washington Hatchets, head coach Dave Omer, assistant coaches Tony Barnard, Alan Bubalo, Les Wilson, and Kyle Cornelius, Principal Gary Puckett, and superintendent Dr. Tom Miller.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 58

House Concurrent Resolution 58, sponsored by Senator Hume:

A CONCURRENT RESOLUTION honoring Luke Zeller.

Whereas, With only 1.8 seconds remaining in the Class 3A state basketball championship game, Washington High School was trailing Plymouth High School by one point;

Whereas, Washington guard Justin Smith inbounded the ball to Luke Zeller at halfcourt;

Whereas, Zeller, a McDonald's All-American, dribbled once to his left and launched a shot from halfcourt;

Whereas, Zeller's shot went in, giving the top-ranked Washington Hatchets a 74-72 win in overtime;

Whereas, Zeller finished the game with 27 points, 11 assists, and nine rebounds, which was one rebound short of a triple double;

Whereas, Zeller was awarded the highest honor given to an individual player by being named the 2005 Mr. Basketball for Indiana, receiving 101 of a possible 247 votes cast by coaches and members of the media;

Whereas, Zeller was selected as the Arthur L. Trester Award winner for mental attitude;

Whereas, The Trester Award is given to the outstanding senior participant in each classification of the boys basketball state finals who excels in mental attitude, scholarship, leadership, and athletic ability in basketball;

Whereas, In addition to this honor, Zeller has received numerous awards and recognitions throughout his basketball career, including being named to the 2005 McDonald's All-American team; to the All-Tourney Team; All-State in 2002, 2003, and 2004; All-Sectional in 2002, 2003, and 2004; and All-Conference in

2002, 2003, and 2004; while serving as captain of his team since his sophomore year;

Whereas, Zeller, who plans to attend the University of Notre Dame in the fall, is much more than an outstanding basketball player;

Whereas, Zeller is an All-American Scholar who ranks No. 1 in his class of 175;

Whereas, Zeller, whose grade point average is a perfect 4.0, will be coaledictorian at his graduation;

Whereas, In addition to his academic and athletic responsibilities, Zeller makes time for his community by volunteering for Habitat for Humanity and Camp Illiana, by participating annually in the Dr. Seuss "Read Across America" initiative in elementary schools, and by acting as a leader and teacher for a teenage Bible study;

Whereas, Zeller is a member of the Shepherd Lutheran Church and of the Fellowship of Christian Athletes; and

Whereas, Zeller is an outstanding role model for the young people of Indiana; he has shown that an athlete can excel on the athletic field and in the classroom and in the community: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Luke Zeller on an outstanding basketball career and an unforgettable game winning shot and wishes him continued success in all his future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Luke Zeller and his family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 57

House Concurrent Resolution 57, sponsored by Senator Hume:

A CONCURRENT RESOLUTION honoring Dave Omer.

Whereas, After 40 years, Dave Omer is retiring;

Whereas, Dave Omer is a legend in Indiana coaching, but until this year, he had never won it all;

Whereas, The Washington Hatchets' victory over Plymouth High School in the Class 3A boys basketball championship game changed that;

Whereas, Dave Omer can now retire on top of his game, something that few coaches are given a chance to do;

Whereas, Nominated for Indiana's Basketball Hall of Fame, Omer's overall 470-352 record includes a 148-95 slate at Washington;

Whereas, Since graduating from Clay High School in Webster County, Kentucky, and Western Kentucky University, Omer has meant much more to the young men he has coached than wins and losses, and Xs and Os;

Whereas, Dave Omer's career has lead him in many different directions, including New Harmony in Southern Indiana, Waldron High School in Shelby County (where sons Jon, now a computer specialist, and Jason, a chiropractor, were born), Whiteland, Boonville, Barr-Reeve, and finally Washington;

Whereas, Despite his dedication and obvious talent, Dave knows that without the love and support of his wife Wilda, his success would not have been possible; and

Whereas, Dave Omer is among a rare few coaches who are talented enough to last for decades, then bow out gracefully: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly wishes to congratulate Dave Omer on his victory in the Class 3A boys basketball championship and to wish him and his wife happiness and contentment in retirement.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Dave and Wilda Omer.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 61

House Concurrent Resolution 61, sponsored by Senator Kenley:

A CONCURRENT RESOLUTION honoring the Lapel High School boys basketball team on its victory in the 2005 Class A boys basketball state championship.

Whereas, The Lapel High School Bulldogs returned to the boys basketball state finals after a 65-year absence and came away with a victory;

Whereas, The Bulldogs defeated the Loogootee Lions by a score of 51-40 to bring home the Class A state boys basketball championship trophy to Lapel High School;

Whereas, Lapel jumped out to a 5-0 lead and never trailed during the entire game;

Whereas, Junior guard J.R. Howell scored 16 points and was a perfect five for five from the field, four for four from three-point range, and two for two from the free throw line;

Whereas, Lapel set a Class A state finals record by holding Loogootee to 40 points;

Whereas, The game's leading scorer was sophomore guard Todd Baker with 11 points;

Whereas, Four-year-starter Jason Holsinger was awarded the 2005 Arthur L. Trester Mental Attitude Award; and

Whereas, Athletics can play a major role in the development of our youth; striving for excellence in athletics helps to teach our children to always try to achieve their personal best in whatever they are doing: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Lapel High School boys basketball team on its victory in the Class A boys basketball state championship and wishes everyone continued success in the future.

SECTION 2. That the Principal Clerk of the House of Representative transmit a copy of this resolution to the members of the team, managers, head coach, assistant coaches, principal, and superintendent.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 55

House Concurrent Resolution 55, sponsored by Senator Clark:

A CONCURRENT RESOLUTION to honor Roche Diagnostics for their recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

Whereas, Fortune Magazine's top 100 Best Companies to Work For rankings are based on demographic makeup of the workplace, pay and benefits for employees, and job growth and revenues for the companies;

Whereas, Roche Diagnostics is part of the Roche Group, a healthcare company with pharmaceuticals and diagnostics, that is celebrating its "100 Anniversary of Health Innovation in the U.S. "this year, with the first U.S. Roche office being established in Manhattan, New York in 1905;

Whereas, With its rich history that stems back to 1967 as Biodynamics, then Boehringer Mannheim Corporation until 1998, Roche Diagnostics has grown to become a good corporate citizen and a leading force in support of the State of Indiana and the City of Indianapolis' Life Sciences Initiatives;

Whereas, Roche Diagnostics employs over 2,500 people at its North American Headquarters in Indianapolis;

Whereas, Roche Diagnostics is creating "Actionable Health Information" by providing patients and their caregivers information that helps them live longer, healthier lives; and

Whereas, Roche Diagnostics is the number one in vitro diagnostics company in the United States, and a leader in diabetes care, with its ACCU-CHEK® blood glucose testing products and services: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. The members of the Indiana General Assembly do honor Roche Diagnostics for their recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Corporate Headquarters of Roche Diagnostics.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 60

House Concurrent Resolution 60, sponsored by Senator Clark:

A CONCURRENT RESOLUTION to honor Emmis Communications for their recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

Whereas, Fortune Magazine's top 100 Best Companies to Work For rankings are based on demographic makeup of the workplace, pay and benefits for employees, and job growth and revenues for the companies;

Whereas, Emmis Communications is marking its first time on the list and is ranked as number 74;

Whereas, Emmis Communications employs 3,067 people in the United States and is recognized for the effective communication of their CEO, Jeff Smulyan, who encourages input from employees during question and answer sessions; and

Whereas, Emmis Communications owns and operates 25 radio stations, 16 television stations, and city and regional magazines around the country - but is still based here in its hometown of Indianapolis where it owns WIBC 1070 AM, Real 97.1 FM, Radio

Now 93.1, B 105.7, Network Indiana and Indianapolis Monthly magazine: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. The members of the Indiana General Assembly do honor Emmis Communications for their recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Corporate Headquarters of Emmis Communications.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1453:
Conferees: Clark and Lewis

GARTON
Date: 4/19/05
Time: 1:44 p.m.

PRESIDENT PRO TEMPORE'S REPORT OF ASSIGNMENT OF CONFEREES

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1200:
Conferees: Lawson and Smith
Advisors: Harrison and Rogers

GARTON
Date: 4/19/05
Time: 1:47 p.m.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 382:
Conferees: Alting, Chair and Craycraft
Advisors: Wyss and Rogers

GARTON
Date: 4/18/05
Time: 5:22 p.m.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the

Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 509:

Conferees: Clark, Chair and Lanane

GARTON
Date: 4/18/05
Time: 5:26 p.m.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 536:

Conferees: Clark, Chair and Broden

GARTON
Date: 4/18/05
Time: 5:27 p.m.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 340:

Conferees: Lawson, Chair and Lanane
Advisors: Zakas and Breaux

GARTON
Date: 4/18/05
Time: 5:08 p.m.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 67:

Advisors: Hershman and Craycraft

GARTON
Date: 4/18/05
Time: 4:45 p.m.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 295:

Advisors: Zakas and Bowser

GARTON
Date: 4/18/05
Time: 4:48 p.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1315:

Conferees: Weatherwax and Lewis

GARTON
Date: 4/19/05
Time: 11:57 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1329:

Conferees: Server and Lutz

GARTON
Date: 4/19/05
Time: 11:58 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1666:

Conferees: Jackman and Lewis

GARTON
Date: 4/19/05
Time: 11:42 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1365:

Conferees: Weatherwax and Lewis

GARTON
Date: 4/19/05
Time: 11:38 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the

following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1649:

Conferees: Weatherwax and Lewis

GARTON
Date: 4/19/05
Time: 11:37 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1407:

Conferees: Lawson and Breau

GARTON
Date: 4/19/05
Time: 11:43 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1346:

Conferees: Harrison and Craycraft

GARTON
Date: 4/19/05
Time: 11:45 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1431:

Conferees: Weatherwax and Lewis

Advisors: Hershman and Hume

GARTON
Date: 4/19/05
Time: 11:36 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1112:

Conferees: Long and Lanane

Advisors: Lawson and Broden

GARTON
Date: 4/19/05
Time: 11:12 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1306:

Conferees: Server and Simpson

Advisors: Miller and Skinner

GARTON
Date: 4/19/05
Time: 11:56 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1230:

Conferees: Server and Lanane

Advisors: Clark and Lewis

GARTON
Date: 4/19/05
Time: 11:55 a.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1198:

Conferees: Kenley and Rogers

Advisors: Lubbers and Sipes

GARTON
Date: 4/19/05
Time: 11:54 a.m.

**MOTIONS TO CONCUR
IN HOUSE AMENDMENTS**

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 227.

MILLER

Roll Call 453: yeas 45, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Engrossed Senate Bill 422.

Clark

Roll Call 454: yeas 44, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Drozda be added as coauthor of Senate Concurrent Resolution 64.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate rescind its action whereby it adopted the Motion to Dissent on Engrossed Senate Bill 340 and that said Motion be withdrawn.

LAWSON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as cosponsor of House Concurrent Resolution 61.

KENLEY

Motion prevailed.

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on April 19, 2005, signed the following House Enrolled Acts: 1008, 1052, 1217, 1224, 1398, 1736, 1288, and 1325.

ROBERT D. GARTON
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on April 19, 2005, signed the following Senate Enrolled Acts: 13, 15, 125, 200, 209, 223, 285, 326, 373, 376, 442, 472, 503, 523, 527, 566, 568, 569, 611, and 612.

ROBERT D. GARTON
President Pro Tempore

**MESSAGE FROM THE PRESIDENT PRO TEMPORE
OF THE INDIANA STATE SENATE**

Madam President and Members of the Senate: I have on April 19, 2005, signed the following Senate Enrolled Acts: 2, 77, 244, 266, 306, 308, 332, 372, 417, 482, 483, 512, 518, 557, and 619.

ROBERT D. GARTON
President Pro Tempore

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the

following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 89:

Conferees: Jackman, Chair and Hume

GARTON

Date: 4/19/05

Time: 1:56 p.m.

**PRESIDENT PRO TEMPORE'S REPORT
OF
ASSIGNMENT OF CONFEREES**

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore Robert D. Garton has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed House Bill 1765:

Conferees: Weatherwax and Lewis

Advisors: Waterman and Skinner

GARTON

Date: 4/19/05

Time: 1:51 p.m.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has reconsidered its dissent on the Senate amendments to Engrossed House Bill 1137 and has now concurred in those amendments.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the Senate amendments to Engrossed House Bill 1078 and is eligible for enrollment.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the Senate amendments to Engrossed House Bills 1059, 1113, 1165, 1179, 1270, 1495, 1553, 1590, and 1662 and is eligible for enrollment.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 53, 54, 55, 56, 57, 58, 59, 60, and 61 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has accepted and approved the Joint Rule 20 correction on Engrossed House Bill 1335.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has accepted and approved the Joint Rule 20 correction on Engrossed Senate Bill 335.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has accepted and approved the Joint Rule 20 correction on Engrossed House Bill 1080.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has accepted and approved the Joint Rule 20 correction on Engrossed House Bill 1039.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has made the following changes in appointing Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 202:

Conferees:

Welch

Advisors:

Avery

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 222:

Conferees:

Torr and Fry

Advisors:

Ripley, Noe, and C. Brown

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the

Senate that the Speaker of the House has made the following changes in appointing Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 329.

Conferees:
Saunders

Advisors:
Buell

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 340:

Conferees:
Budak and Crawford
Advisors:
Walorski and Summers

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 480:

Conferees:
Richardson and Mahern
Advisors:
Messer and Robertson

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 508:

Conferees:
Torr and Cheney
Advisors:
Leonard and Stilwell

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 529:

Conferees:
Behning and Avery

Advisors:
Budak and C. Brown

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1073:

Conferees:
Lehe, Chair and Tincher
Advisors:
Buck and Hoy

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1112:

Conferees:
Richardson, Chair
Porter
Advisors:
Turner and Kuzman

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1198:

Conferees:
Thompson, Chair
Porter
Advisors:
Behning and V. Smith

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1200:

Conferees:
Thompson, Chair
Moses
Advisors:
Turner and Hoy

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1230:

Conferees:

Friend, Chair
Kuzman

Advisors:

Davis and Stilwell

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1306:

Conferees:

Becker, Chair
C. Brown

Advisors:

T. Brown and Mays

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1315:

Conferees:

Hoffman, Chair
Goodin

Advisors:

Duncan and Oxley

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1329:

Conferees:

Becker, Chair
Avery

Advisors:

Buell and Hoy

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the

Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1346:

Conferees:

Buell, Chair
Kromkowski

Advisors:

Budak and Bischoff

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1365:

Conferees:

Friend, Chair
Bischoff

Advisors:

Hoffman and Goodin

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1394:

Conferees:

Stutzman, Chair
Kromkowski

Advisors:

Saunders and Robertson

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1407:

Conferees:

Richardson, Chair
Mahern

Advisors:

Thomas and Dickinson

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like

committee of the Senate on Engrossed House Bill 1431:

Conferees:

Friend, Chair
Austin

Advisors:

Gutwein and Oxley

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1453:

Conferees:

Richardson, Chair
Dickinson

Advisors:

Hinkle and Pelath

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1649:

Conferees:

Friend, Chair
Bischoff

Advisors:

Whetstone and Porter

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1666:

Conferees:

Stutzman, Chair
Pflum

Advisors:

Cherry and Kuzman

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1765:

Conferees:

Hoffman, Chair
Robertson

Advisors:

Friend and Bischoff

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives to a conference committee to confer with a like committee of the Senate on Engrossed House Bill 1776:

Conferees:

Buell, Chair
Mahern

Advisors:

Frizzell and Day

M. CAROLINE SPOTTS
Principal Clerk of the House

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed House Bill 1335 because it conflicts with Senate Enrolled Act 209-2005 without properly recognizing the existence of SEA 209-2005, has had EHB 1335 under consideration and begs leave to report back to the Senate with the recommendation that EHB 1335 be corrected as follows:

Page 1, line 10, after "IC 12-7-2-192.3" insert ", AS AMENDED BY SEA 209-2005, SECTION 8,".

Page 1, line 12, delete "poor relief".

Page 1, line 12, reset in roman "township assistance".

Page 2, line 6, after "IC 12-20-28-3" insert ", AS AMENDED BY SEA 209-2005, SECTIONS 153 AND 154,".

Page 2, line 16, delete "poor relief".

Page 2, line 16, reset in roman "township assistance".

Page 3, line 4, delete "poor relief" and insert "township assistance".

Page 3, line 5, delete "poor relief" and insert "township assistance".

Page 3, line 11, delete "poor relief" and insert "township assistance".

Page 3, line 16, delete "poor relief" and insert "township assistance".

Page 3, line 25, delete "poor relief" and insert "township assistance".

Page 3, line 35, delete "poor relief" and insert "township assistance".

Page 4, line 1, delete "poor relief" and insert "township assistance".

Page 4, line 27, delete "poor relief".

Page 4, line 27, reset in roman "township assistance".

Page 4, line 32, delete "poor relief" and insert "township assistance".

Page 4, line 34, delete "poor relief" and insert "township assistance".

Page 6, line 6, delete "poor relief" and insert "township

assistance".

(Reference is to EHB 1335 as printed March 25, 2005.)

GARTON, Chair
R. YOUNG, R.M.M.
KRUSE

Report adopted.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m.,
Wednesday, April 20, 2005.

GARTON

Motion prevailed.

The Senate adjourned at 2:29 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate